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REMARKS

In the Office Action, the Examiner indicated that claim 18 is allowed. Applicants wish to thank the Examiner for this early indication of allowable subject matter.

Also in the Office Action, the Examiner rejected claims 1, 3-7, 9-17, and 19-25 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,433,924 issued to Sommer; rejected claims 26-28 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,917,626 issued to Lee; and rejected claims 2 and 8 under 35 U.S.C. §103(a) as being unpatentable over Sommer.

By this Amendment, Applicants have canceled claims 19, 21, 23, and 26-28 without prejudice, and have amended claims 1, 10, 20, 22, and 24 in order to more clearly define the present invention and claims 15 and 17 have been amended to correct typographical errors. Claims 1-18, 20, 22, 24, and 25 are now pending.

Applicants wish to thank the Examiner for his time and courtesy during a telephone interview conducted on July 14, 2003. During the interview, claims 1 and 10 were discussed. The prior art discussed included the Sommer patent. No exhibits were shown or discussed. Applicants proposed amendments to claims 1 and 10. Specifically, proposed amendments to claims 1 and 10 were discussed whereby an actual value for the core concentricity or ovality would be added to these claims. The Examiner indicated that such an amendment would likely overcome the rejection of claims 1 and 10. The general thrust of Applicants' principle arguments is discussed further below.

Applicants respectfully traverse the rejection of claims 1, 3-7, 9-17, and 19-25 under 35 U.S.C. §102(e) as being anticipated by Sommer for the reasons stated below.

With respect to independent claim 1, Sommer fails to disclose an optical package comprising: an input ferrule comprising at least one capillary extending axially through the ferrule; at least two pair of optical fibers extending through the capillary, the fibers comprising a first input fiber, a first reflected fiber, a second input fiber and a second reflected fiber, the fibers screened for a pre-determined tolerance for a characteristic selected from the group consisting of core concentricity, ovality, and diameter, wherein the pre-determined tolerance for ovality is equal to or less than about 0.8 percent; and an optical filter optically aligned with the optical fibers such that a first wavelength of optical signals transmitted through the first input fiber are reflected by the filter to the first reflected

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fiber and a second wavelength of optical signals transmitted through the second input fiber are reflected by the filter to the second reflected fiber. Specifically, Sommer does not mention anything regarding a specific tolerance for the ovality of a fiber.

With respect to independent claim 10, Sommer fails to disclose a multiple-port optical package comprising: an input ferrule comprising at least one capillary extending axially through the ferrule; at least two pair of optical fibers extending through the at least one capillary, the fibers comprising a first input fiber, a first reflected fiber, a second input fiber and a second reflected fiber, the fibers screened for a pre-determined tolerance for a characteristic selected from the group consisting of core concentricity, ovality, and diameter, wherein the pre-determined tolerance for core concentricity is equal to or less than about 1.0 μm ; an optical filter in communication with the optical fibers such that a first wavelength of optical signals transmitted through the first input fiber are reflected by the filter to the first reflected fiber and a second wavelength of optical signals transmitted through the second input fiber are reflected by the filter to the second reflected fiber; an output ferrule comprising at least one output capillary extending axially through the ferrule; and at least two output optical fibers extending through the at least one output capillary and receiving light signals transmitted through the filter. Specifically, Sommer does not mention anything regarding a specific tolerance for the core concentricity of a fiber.

During the interview, the Examiner suggested that it would have been obvious to select the precise tolerances for the fibers since "discovering optimum or workable ranges involves only routine skill in the art." Applicants pointed out, however, that MPEP 2144.05.II.B. states:

A particular parameter must first be recognized as a result-effective variable, *i.e.*, a variable which achieves a recognized result, before the determination of the optimum or workable ranges of said variable might be characterized as routine experimentation. *In re Antonie*, 559 F.2d 618, 195 USPQ 6 (CCPA 1977).

Applicants further stated that the prior art is silent as to the need to establish predetermined tolerances for ovality or core concentricity. The fact that the prior art does not recognize the need for establishing tolerances for ovality or core concentricity suggests that those skilled in the art considered all fibers to be acceptable for use without need for further screening. Thus, these parameters were not

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recognized in the art as result-effective variables and therefore the determination of an optimum range of tolerances for ovality and core concentricity cannot be characterized as mere routine experimentation. During the interview, the Examiner agreed the specific values for the ovality or core concentricity tolerances were not obvious and that amending claims 1 and 10 to recite a specific value for the tolerance for ovality or core concentricity would overcome the rejection of independent claims 1 and 10.

Because Sommer fails to teach or suggest the above-noted features of independent claims 1 and 10, Applicants submit that claims 1 and 10 are allowable over Sommer. Claims 3-7, 9, and 11-17 depend from independent claims 1 and 10 and thus are allowable for at least the reasons stated above with respect to claims 1 and 10.

Applicants respectfully traverse the rejection as applied to claims 19-25. Nevertheless, Applicants have canceled claims 19, 21, and 23 without prejudice and have rewritten claims 22 and 24 in independent form. Claim 20 has been amended to depend from claim 22.

With respect to claim 22, Applicants submit that Sommer does not disclose a multiple-port ad/drop package comprising at least "a second transmitted fiber optically coupled to said second input fiber." In the Office Action, the Examiner contends that fiber 74 (Fig. 2B of Sommer) corresponds to the recited "second transmitted fiber" while fiber 84 corresponds to the recited "second input fiber." However, the Examiner previously indicated with respect to claim 19 that fiber 84 corresponds to the recited "first input fiber," and that fiber 86 corresponds to the recited "second input fiber." Furthermore, upon reading Sommer, it is apparent that fiber 74 is not optically coupled to fiber 84, but rather is coupled to output fiber 90. Although input fiber 84 is coupled to fiber 68, fiber 68 already is stated to correspond to the recited "first transmitted fiber." For these reasons, Applicants submit that Sommer does not anticipate claim 22 or claim 20, which depends therefrom.

With respect to claim 24, Applicants submit that Sommer does not disclose a multiple-port ad/drop package comprising at least "a second transmitted fiber optically coupled to the second input fiber." In the Office Action, the Examiner contends that fiber 74 (Fig. 2B of Sommer) corresponds to the recited "second transmitted fiber" while fiber 84 corresponds to the recited "second input fiber." However, the Examiner previously indicated with respect to claim 23 that fiber 84 corresponds to the

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recited "first input fiber," and that fiber 86 corresponds to the recited "second input fiber." Furthermore, upon reading Sommer, it is apparent that fiber 74 is not optically coupled to fiber 84, but rather is coupled to output fiber 90. Although input fiber 84 is coupled to fiber 68, fiber 68 already is stated to correspond to the recited "first transmitted fiber." For these reasons, Applicants submit that Sommer does not anticipate claim 24 or claim 25, which depends therefrom.

Applicants respectfully traverse the rejection of claims 26-28 under 35 U.S.C. §102(b) as being anticipated by Lee. Nevertheless, in order to expedite the prosecution of this application, Applicants have canceled claims 26-28 without prejudice.

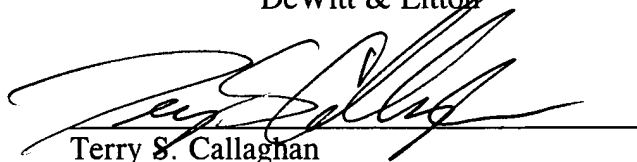
Applicants respectfully traverse the rejection of claims 2 and 8 under 35 U.S.C. §103(a) as being unpatentable over Sommer for the reasons stated below. Claims 2 and 8 depend from claim 1 and are allowable for at least those reasons stated with respect to claim 1.

In view of the foregoing amendments and remarks, Applicants submit that the present invention, as defined by the pending claims, is allowable over the prior art of record. The Examiner's reconsideration and timely allowance of the claims is requested. A Notice of Allowance is therefore respectfully solicited.

Respectfully submitted,

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